

ACERTIFIED TRUE COPY

OCT 13 2005

ATTEST: *[Signature]*
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE WELDING FUME PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-31)

On June 23, 2003, the Panel transferred three civil actions to the United States District Court for the Northern District of Ohio for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 258 additional actions have been transferred to the Northern District of Ohio. With the consent of that court, all such actions have been assigned to the Honorable Kathleen McDonald O'Malley.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Northern District of Ohio and assigned to Judge O'Malley.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Northern District of Ohio for the reasons stated in the order of June 23, 2003, 269 F.Supp.2d 1365 (J.P.M.L. 2003), and, with the consent of that court, assigned to the Honorable Kathleen McDonald O'Malley.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Ohio. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Inasmuch as no objection is pending at this time, the stay is lifted.

OCT 13 2005

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

OCT 21 2005
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION
JAMES W. McCORMACK, CLERK
By: *[Signature]* DEP CLERK

SEP 27 2005

FILED
CLERK'S OFFICE

ALLEGHENY
NORTHERN DISTRICT
CLEVELAND

OCT 17 PM 12:00

Michael J. Beck
Michael J. Beck
Clerk of the Panel
I hereby certify that this instrument is a true and
correct copy of the original on file in my office.
Attest: Geri M. Smith, Clerk
U.S. District Court
Northern District of Ohio
By: *Jessie J. Dwolanski*
Deputy Clerk

**SCHEDULE CTO-31 - TAG-ALONG ACTIONS
DOCKET NO. 1535
IN RE WELDING FUME PRODUCTS LIABILITY LITIGATION**

| <u>DIST. DIV. C.A. #</u> | <u>CASE CAPTION</u> |
|--------------------------|---|
| ARKANSAS EASTERN | |
| ARE 2 05-210 | Matt Fair, et al. v. Lincoln Electric Co., et al. |
| ARE 3 05-199 | Anthony P. Chaney, et al. v. Lincoln Electric Co., et al. |
| ARE 4 05-1136 | Robert Cortese, Sr. v. Lincoln Electric Co., et al. |
| ARE 4 05-1138 | Burl Cook v. Lincoln Electric Co., et al. |
| ARE 5 05-242 | Howard Dilworth, et al. v. Lincoln Electric Co., et al. |
| ARE 5 05-243 | Eddie L. Williams, et al. v. Lincoln Electric Co., et al. |
| ARKANSAS WESTERN | |
| ARW 1 05-1069 | Johnny Hudson, et al. v. Lincoln Electric Co., et al. |
| ARW 1 05-1071 | Eric Mackey, et al. v. Lincoln Electric Co., et al. |
| CALIFORNIA EASTERN | |
| CAE 1 05-1038 | James Bradberry v. BOC Group, Inc., et al. |
| ILLINOIS SOUTHERN | |
| ILS 3 05-600 | Paul E. Dunn, et al. v. American Welding Society, et al. |
| KENTUCKY WESTERN | |
| KYW 4 05-118 | Christopher Boling v. Lincoln Electric Co., et al. |
| MICHIGAN WESTERN | |
| MIW 1 05-542 | Calvin Brown v. A.O. Smith Corp., et al. |
| MIW 1 05-543 | Matthew Caterino v. A.O. Smith Corp., et al. |
| MIW 1 05-544 | Christopher Swierczynski v. A.O. Smith Corp., et al. |